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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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8 MICHAEL F. SCHULZE,

CASE NO. CV-F-05-0180 AWI LJO

9 Plaintiff,

**ORDER TO VACATE ORDER TO SHOW
CAUSE WHY SUMMONS AND AMENDED
COMPLAINT HAVE NOT BEEN SERVED
(Doc. 30.)**

10 vs.

11 FEDERAL BUREAU OF

12 INVESTIGATION, et al,

13 Defendants.
14 _____/

15 Plaintiff Michael F. Schulze ("plaintiff") proceeds pro se and on August 12, 2005, filed his
16 amended complaint to allege that several federal agencies violated the Freedom of Information Act and
17 the Privacy Act, 5 U.S.C. §§ 552 and 552a. This Court granted plaintiff up to November 21, 2005 to
18 serve the summons and amended complaint on defendants United States Marshals Service ("USMS")
19 and Drug Enforcement Administration ("DEA"). This Court issued its November 23, 2005 order to
20 require plaintiff, no later than December 12, 2005, to show cause in writing why plaintiff has failed to:
21 (1) file documents to show proof of service of the summons and amended complaint on defendants
22 USMS and DEA to comply with F.R.Civ.P. 4(i); and (2) accomplish service on USMS and DEA of the
23 summons and amended complaint to comply with F.R.Civ.P. 4(m). On December 19, 2005, all
24 defendants, including USMS and DEA, filed their answer to the amended complaint to indicate USMS
25 and DEA had been served with the summons and amended complaint. As such, this Court VACATES
26 the November 23, 2005 order to show cause.

27 IT IS SO ORDERED.

28 **Dated: December 21, 2005**

/s/ Lawrence J. O'Neill

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UNITED STATES MAGISTRATE JUDGE

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